

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Rex Crowell at
Chairperson

1:30 ~~xxx~~ p.m. on March 27, 1986 in room 519-S of the Capitol.

All members were present ~~except~~:

Committee staff present:

Bruce Kinzie, Revisor of Statutes
Hank Avila, Legislative Research
Donna Mulligan, Committee Secretary

Conferees appearing before the committee:

Mr. Ralph Hunt, National Solid Wastes Management Association
Mr. Francis Bliss, F. E. Bliss Solid Waste Disposal Company
Mr. George Simmons, National Solid Wastes Management Association
Ms. Susan Monteverde, National Solid Wastes Management Association
Mr. Ed DeSoignie, Kansas Department of Transportation

The meeting was called to order by Chairman Crowell and the first order of business was a hearing on SB-276 concerning the axle weight limitations for garbage, refuse or solid waste disposal vehicles.

Mr. Ralph Hunt, National Solid Wastes Management Association, testified in support of SB-276.

Mr. Hunt said they are not asking for a gross weight exemption, simply an axle weight exemption.

Mr. Francis Bliss, F. E. Bliss Solid Waste Disposal Company, Longton, Kansas, gave favorable testimony concerning SB-276. (See Attachment 1)

Mr. Bliss said when trucks are half full, they are overweight on the rear axle and still are vey much within the gross weight limit.

Mr. George Simmons, National Solid Wastes Management Association, testified in favor of SB-276.

Ms. Susan Monteverde, National Solid Wastes Management Association, gave favorable comments concerning SB-276. (See Attachment 2)

She said a major goal of their association is to promote and protect the interests of privately run solid waste collection and disposal companies. Ms. Monteverde said that under the current law, publically owned trucks are exempt from all weight limits which places the private haulers at a competitive disadvantage.

Ms. Monteverde pointed out it is impossible to estimate the exact weight of each refuse pickup because it changes daily depending on what is disposed of. She added that fluctuations in weight become especially critical after it rains or snows as these weather conditions can increase the weight of the load by over 40 percent.

Mr. Ed DeSoignie, Kansas Department of Transportation, testified as an opponent to SB-276. (See Attachment 3)

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:30 ~~x.m.~~/p.m. on March 27, 19 86

Mr. DeSoignie said passage of SB-276 would permit one group of highway users to exceed present statutory axle weight limits, and proposes a departure from a long legislative history of requiring axle weight limitations for the protection of highway pavements and structures.

Mr. DeSoignie said that increasing axle or vehicle weights above the design tolerances increases wear on the structure, hastens its deterioration and eventual replacement at a higher than original cost.

The next business was Committee discussion and action on HB-3087 which is an act relating to roads and highways, concerning county connecting links. Mr. Arden Ensley explained amendments in a balloon on HB-3087. (See Attachment 4)

Mr. Ray Olson, Kansas Department of Transportation commented briefly concerning HB-3087.

A motion was made by Representative Ott to adopt the amendments in the balloon. The motion was seconded by Representative Harper. Motion passed.

A motion was made by Representative Spaniol that HB-3087 be recommended favorable as amended for passage. The motion was seconded by Representative Wilbert. Motion passed.

The next business was Committee discussion and action on SB-520 concerning the mandatory requirements for use of safety belts.

Chairman Crowell stated that in accordance with a request by two Committee members, a letter was written to Traffic Safety Now requesting information regarding amounts spent to promote the use of safety belts in the state of Kansas. The Chairman said they replied that the amount was \$11,000.

A motion was made by Representative Brown that SB-520 be adopted favorable for passage. The motion was seconded by Representative Knopp.

Representative Adam explained a proposed amendment to SB-520.
(See Attachment 5)

A substitute motion was made by Representative Adam to adopt her amendment to SB-520. The substitute motion was seconded by Representative Knopp. Substitute motion passed 10-9 on a division.

A motion was made by Representative Brown that SB-520 be recommended favorably as amended. The motion was seconded by Representative Knopp.

A substitute motion was made by Representative Erne to change the amount on Line 62 to \$10 instead of \$25. The substitute motion was seconded by Representative Sutter. Substitute motion passed.

A motion was made by Representative Brown that SB-520 be recommended favorably as further amended. The motion was seconded by Representative Knopp.

A substitute motion was made by Representative Patrick that all pick-up trucks be included in SB-520. The substitute motion was seconded by Representative Knopp. Substitute motion passed.

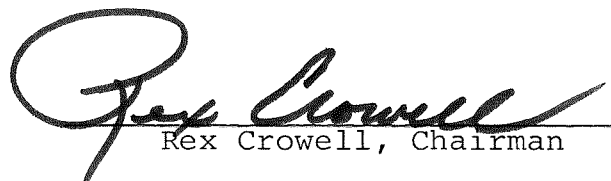
CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:30 ~~am~~ p.m. on March 27, 1986

A motion was made by Representative Knopp to amend SB-520 to change the effective date to publication in the Register. The motion was seconded by Representative Snowbarger.

Representative Brown made a substitute motion to recommend SB-520 as further amended favorable for passage. The motion was seconded by Representative Knopp. Motion failed 11-9 on a division.

The meeting was adjourned at 3:30 p.m.


Rex Crowell, Chairman

GUEST LIST

COMMITTEE: Transportation

DATE: 3-27-86

PLEASE PRINT

NAME	ADDRESS	COMPANY/ORGANIZATION
Chip Wheeler	Topeka	McGill & Assoc's
Don Kerle	Pittsburg	
Chester Chow	Pittsburg	
Richard Schlegel	Manhattan	ABATE
George Simon	Topeka	WASTE MANAGEMENT
Susan Monroech	Washington DC	NATIONAL Solid Waste Mgmt
F.E. Bliss	LONDON	F.E. Bliss Solid Waste
Ralph Hunt	^{Wichita} Select Trash	Select Trash
Lt. BILL JACOBS	TOPEKA	KANSAS HIGHWAY PATROL
JIM SULLINS	"	Ks MOTOR CAR DRIVERS ASSN
PAT BARNES	"	" " " " "
NR SHERBETT	DENVER	GENERAL MOTORS
Bill Jenny	Topeka	Kansas Engineering Society
Bill Green	Topeka	KCC
Dennis Murphy	Topeka	KDHE
Pat Hubbell	Topeka	Kansas Railroad Assn
Charles H. Nicolay	Topeka	Kansas Pil. Marketers
Marge Luskroppers	Topeka	Kansas Motor Carriers Assn
Tom Whitaker	Topeka	Ks Motor Carriers Assn
BRUCE GRAHAM	TOPEKA	Ks MOTOR CARRIERS ASSN
Ray Olson	Topeka	KDOT
ED DE SOIGNIE	TOPEKA	KDOT
Ramona Jones	Wichita	Wichita Eagle-Beacon

F. E. BLISS SOLID WASTE DISPOSAL CO.

"Our Business Is Picking Up"

BOX 198
LONGTON, KANSAS 67352
PHONE: (316) 642-6155

March 27, 1986

Chairman Rex Crowell and Distinguished Committee Members:

I appreciate the opportunity to discuss some of our problems with you. I am F. E. Bliss, Longton, Kansas, owner and operator of the F. E. Bliss Solid Waste Co. We have the contract to haul all commercial and residential trash in the cities of Elk and Greenwood counties. In 1981 and 1982 we replaced 20 yard packers with 18 yard packers in order to keep our weight down and have 30,000 lb. tags on these trucks. I am concerned because even though we stay within our tag limit when the packers are $\frac{1}{2}$ full we are overweight on the rear axle.

I have weighed my own 18 yard trucks and find the distribution of weight does not vary over 3% on the rear axle from empty to loaded. We also found that on the average we were packing 600 lbs. per cubic yard. Using these averages we came up with the following weights.

	<u>Front Axle</u>	<u>Rear Axle</u>	<u>Gross</u>	<u>% On Rear Axle</u>
Empty	4370	14630	19000	77
$\frac{1}{4}$ Full	4557	17143	21700	79
$\frac{1}{2}$ Full	4880	19520	24400	80
$\frac{3}{4}$ Full	5420	21680	27100	80
Full	5960	23840	29800	80

As you can see by the time the truck is one-half loaded we are overweight on the rear axle and still very much within the gross weight limit.

We need to use as large a truck as possible to keep costs down to the users.

I ask that you consider our plight as this is the way the industry makes the covered trucks which we are required to use. Please vote in favor of the bill to allow over weight on the rear axle or amend the bill to remove all weight restrictions from trash trucks, which I understand is the case with city owned trucks now. I assure you private haulers would enjoy having this same privilege.

H. Transp. 3/27/86
Attach. 1

March 27, 1986

TESTIMONY

to

HOUSE TRANSPORTATION COMMITTEE

by

NATIONAL SOLID WASTES MANAGEMENT ASSOCIATION

Senate Bill 276

Mr. Chairman and members of the committee, my name is Susan Monteverde and I am a legislative representative for the National Solid Waste Management Association. I thank you for this opportunity today to discuss an issue which has such a dire affect on the waste collection industry.

The National Solid Wastes Management Association represents over 2,600 privately owned firms engaged in all facets of the collection and disposal of solid wastes, including all the major equipment manufacturers.

One of the major goals of our association is to promote and protect the interests of privately run solid waste collection and disposal companies. This is why we are here today. S.B. 276, which passed the Senate last year, exempts privately operated refuse trucks from the axle weight limitations on state and local roads. Under current law, publically owned trucks are exempt from ALL weight limits. This places us at a competitive disadvantage. Solid waste collection has been identified as one of the major areas where contracting out to the private sector is far more economical than public collection, but without relief many companies will not be able to be competitive, especially the small businesses.

Although competitiveness is a major issue here, it is not the primary one. Axle weights are a problem for refuse haulers in every state due to the nature of trash and the unique design of refuse trucks. Bringing municipalities under the weight laws would still not help the industry operate within the legal limits.

*H. Transp. 3/27/86
Attach. 2*



EUGENE J. WINGERTER
EXECUTIVE DIRECTOR

National Solid Wastes Management Association

1730 RHODE ISLAND AVENUE, N.W. • TENTH FLOOR • WASHINGTON, D.C. 20036
TELEPHONE (202) 659-4613

REFUSE VEHICLE WEIGHT LIMITATIONS POSITION PAPER

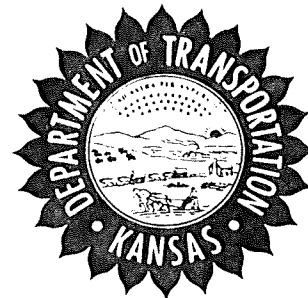
Refuse vehicles are designed to perform their unique function in the most efficient way. Many of the features that are unique to these vehicles and the refuse collection business result in overweight violations, especially in terms of axle weight. These unique features include:

- o Refuse vehicles carry a 7,000 pound compaction or loading device loaded weight of the vehicle. In trucks which load from the rear of the truck, this additional weight becomes especially critical when measuring of axle weight.
- o Refuse haulers cannot predetermine either the content of their loads or its weight on any given day. There is no practical means of determining when a refuse truck on its route has reached its allowable axle weight. Additionally, distribution within the vehicle cannot be controlled.
- o Because the truck is loaded a little at a time, refuse trucks do not have a weight problem until the end of their run.
- o The weight of refuse is significantly increased by rain or snow. Residential refuse can weigh as much as 40% more after a rain storm.
- o Refuse collection companies provide a vital public health service. A driver cannot simply stop collecting refuse when his truck is half way full due to overweight considerations.
- o Maneuverability is critical to refuse collection. Trucks must be able to go down narrow alleyways to make their collections. As such, truck design does not allow for a long wheel base. The use of tag (additional rear) axles substantially cuts down on the maneuverability of the truck.
- o The decline in the number of available sites to bring the refuse to and the pressure from communities to locate landfills away from population areas results in longer trips to landfills. To take advantage of costly fuel supplies, refuse trucks must be close to capacity before going to the landfill.
- o Trucks must be made of heavy duty materials to withstand off-road unloading at landfills.

To date 14 states have recognized this unique problem and the important role the refuse collection industry provides and have granted refuse truck some type of exemption from state and local weight limitations. In Kansas, publically run refuse trucks are already exempt from all weight limitations.

KANSAS DEPARTMENT OF TRANSPORTATION

STATE OFFICE BUILDING—TOPEKA, KANSAS 66612—1568



JOHN B. KEMP, Secretary of Transportation

JOHN CARLIN, Governor

MEMORANDUM TO: THE HONORABLE REX CROWELL, CHAIRMAN
HOUSE TRANSPORTATION COMMITTEE

FROM: EDWARD R. DESOIGNIE
POLICY COORDINATOR

REGARDING: SENATE BILL 276

DATE: MARCH 27, 1986

THE KANSAS DEPARTMENT OF TRANSPORTATION HAS CONCERN WITH ANY PROPOSED ACTION WHICH WOULD INCREASE THE ALLOWABLE VEHICLE WEIGHT LIMITS ON KANSAS HIGHWAYS AND BRIDGES. THE BILL BEFORE YOU TODAY WOULD PERMIT ONE GROUP OF HIGHWAY USERS TO EXCEED PRESENT STATUTORY AXLE WEIGHT LIMITS. THESE LIMITS ARE SINGLE AXLE - 20,000 POUNDS, DUAL (TANDEM) AXLES - 34,000 POUNDS, TRIPLE AXLES - 34,000 TO 43,500 POUNDS, AND QUAD AXLES - 43,500 TO 50,500 POUNDS. THE BILL PROPOSES A DEPARTURE FROM A LONG LEGISLATIVE HISTORY OF REQUIRING AXLE WEIGHTS FOR THE PROTECTION OF HIGHWAY PAVEMENTS AND STRUCTURES.

VEHICLE WEIGHTS AND AXLE LOADINGS ARE CRITICAL FACTORS USED IN THE DESIGN OF HIGHWAYS AND BRIDGES. IN DESIGNING PAVEMENT AXLE LOADS AND THE NUMBER OF REPETITIONS OF AXLE LOADS WHICH MAY PASS OVER A SECTION OF HIGHWAY DURING A GIVEN PERIOD OF TIME ARE BUILT-IN TO THE DESIGN. WITH BRIDGES, AXLE WEIGHTS AS WELL AS AXLE SPACING ARE IMPORTANT DESIGN ELEMENTS. INCREASING AXLE OR VEHICLE WEIGHTS ABOVE THE DESIGN TOLERANCES INCREASES WEAR ON THE STRUCTURE, HASTENS ITS DETERIORATION AND EVENTUAL REPLACEMENT AT A HIGHER THAN ORIGINAL COST.

*H. Transp. 3/27/86
Attach. 3*

EXEMPTING REFUSE TRUCKS FROM ANY AXLE WEIGHT RESTRICTIONS WOULD PERMIT SUCH VEHICLES TO OPERATE CLOSER TO MAXIMUM CAPACITY, DECREASING BOTH THE NUMBER OF TRIPS THEY WOULD MAKE, AS WELL AS FUEL COSTS. HOWEVER, IT WOULD BE AT THE COST OF SHORTENED PAVEMENT AND BRIDGE LIFE. IT HAS BEEN ONLY RECENTLY THAT THE STATE HAS INITIATED AN ACCELERATED HIGHWAY PROGRAM DIRECTED TOWARDS PRESERVING THE EXISTING SYSTEM OF ROADS AND BRIDGES. THE MULTI-YEAR PROGRAM CONSISTS OF:

- + SURFACE PRESERVATION COVERING APPROXIMATELY 1,000 MILES A YEAR WITH SEALS AND OVERLAYS UP TO 1 1/2 INCHES.
- + REHABILITATION AND RECONSTRUCTION OF APPROXIMATELY 114 MILES IN FY 1984 AND FY 1985.
- + NEW CONSTRUCTION ON A LIMITED SCALE INVOLVING INTERSTATE GAP CLOSINGS, SCHEDULED FREEWAY FUND PROJECTS AND PROJECTS RELATED TO ECONOMIC DEVELOPMENT.
- + BRIDGES HAVE HEAVY EMPHASIS WITH WORK TENTATIVELY SCHEDULED ON NEARLY 300 BRIDGES OVER THE FIVE YEARS.

THE DEMANDS OF THE SYSTEM ARE SUCH THAT ALL NEEDS CANNOT BE ADDRESSED. THE PROVISIONS OF SENATE BILL 276 WOULD ONLY ADD TO THE PROBLEM RATHER THAN HELP.

THE DEPARTMENT REQUESTS THE COMMITTEE TO REPORT SENATE BILL 276 UNFAVORABLE FOR PASSAGE.

THANK YOU MR. CHAIRMAN, THAT CONCLUDES MY PREPARED COMMENTS.

HOUSE BILL No. 3087

By Committee on Local Government

2-26

0016 AN ACT relating to roads and highways; concerning county
0017 connecting links; amending K.S.A. 68-506, 68-516, 68-592 and
0018 68-1109 and repealing the existing sections.

0019 *Be it enacted by the Legislature of the State of Kansas:*

0020 Section 1. The board of county commissioners of any county
0021 and the governing body of any city having a population of less
0022 than 5,000 which is located within such county are hereby
0023 authorized to enter into agreements for the maintenance of
0024 streets within such cities which form connecting links in the
0025 system of county highways included in the secondary road sys-
0026 tem pursuant to article 17 of chapter 68 of the Kansas Statutes
0027 Annotated or in the system of county highways, ~~not included in~~
0028 ~~the secondary road system of the county, which connect such~~
0029 ~~cities within such county with each other and with state high-~~
0030 ~~ways and which connect with county roads in adjoining counties.~~

0031 Such agreements may provide for the maintenance of such con-
0032 necting links by such cities and the reimbursement or payment
0033 of compensation to such cities by the county therefor. In the
0034 absence of agreement between the county and such cities re-
0035 garding the maintenance of such connecting links it shall be the
0036 duty of the county to maintain all such connecting links in the
0037 county highway system. Payments to such cities for the main-
0038 tenance of connecting links in county highway systems shall be
0039 made from the road and bridge fund of the county.

0040 Sec. 2. K.S.A. 68-506 is hereby amended to read as follows:
0041 68-506. In counties which have not adopted the county unit road
0042 system, it shall be the duty of the boards of county commission-
0043 ers with the approval of the county engineers in their respective
0044 counties, to classify and designate the roads as "county primary

county

roads and

minor collector roads and

road and highway

road

(a)

and designate

H. Transp. 3/27/86
Attach. 4

0015 roads," "secondary road system roads," and "township or local
0016 service roads." ~~within such county.~~

0017 The "county primary roads" shall be the main traveled high-
0018 ways, and shall connect as nearly as possible the cities and
0019 principal market centers of each county with each other, and
0020 with state highways, as well as connect with county roads in
0021 adjoining counties.

0022 "Secondary road system roads" shall be the roads designated
0023 in each county for inclusion in the secondary road system in
0024 accordance with the provisions of article 17 of chapter 68 of the
0025 Kansas Statutes Annotated, and acts amendatory thereof or sup-
0026 plemental thereto.

0027 Other public highways shall be "township or local service
0028 roads."

0029 ~~Whenever any main traveled highway is located partly within~~
0030 ~~and partly without a city and or connects a county primary such~~
0031 ~~road with a city, by and with the consent of the governing body,~~
0032 ~~and with the final approval of the secretary of transportation, the~~
0033 ~~board of county commissioners is hereby given power and au-~~
0034 ~~thority and required to designate such public highway as a part~~
0035 ~~of the county primary road system, and it shall be improved and~~
0036 ~~maintained as other parts of the county primary road system,~~
0037 ~~except that the governing body of such city may aid in the~~
0038 ~~construction, maintenance and improvement of such road as it~~
0039 ~~would were the said highway wholly within the corporate limits~~
0040 ~~of said the city. When a road is being, or has been, improved by~~
0041 ~~the county where state or federal aid has been extended in the~~
0042 ~~improvement of such road, and such road terminates at the city~~
0043 ~~limits, and where a road has been or shall be constructed with~~
0044 ~~federal aid, which said such road terminates at a state line, and~~
0045 ~~the said state line is the corporate limits of a city within this state,~~
0046 ~~the secretary of transportation is hereby authorized and em-~~
0047 ~~powered to extend federal aid, and the board of county commis-~~
0048 ~~sioners, on the application of the governing body of the city,~~
0049 ~~shall declare such city through which a street or streets form a~~
0050 ~~connection between said such roads, a benefit district, and shall~~
0051 ~~extend state aid on that part of the road lying within the city~~

and highways

within the following classes:

(1) "Secondary roads or highways" which shall include all county roads and highways designated for inclusion in the secondary road system in accordance with K.S.A. 68-1701 to 68-1704, and amendments thereto;

(2) "county minor collector roads or highways" which shall include all county roads and highways, not designated for inclusion in the secondary road system, which are main traveled roads utilized and designed primarily for the movement of traffic between different areas of the county; and

(3) "township or local service roads" which shall include all roads and highways not designated for inclusion in the secondary road system or as county minor collector roads or highways.

(b)

county secondary road or highway or county minor collector road or

any

or highway

road or

or highway

road or

or highway

or highways

or highway

0082 limits in the same way and in the same manner as they extend aid
 0083 in the improvement of the road/ outside of the city limits. The
 0084 secretary of transportation is hereby authorized and empowered
 0085 to cooperate and deal with the governing body, of the city, board
 0086 of county commissioners, or other interested parties that provide
 0087 funds to take care of the local part of the costs of the improve-
 0088 ment of the/ highway lying within the city limits, and such
 0089 improvement shall be under the supervision and direction of the
 0090 secretary as provided for in the improvement of other roads/ of
 0091 like nature in the county.

or highway

0092 /The county engineer and the boards of county commissioners
 0093 may shift road/ mileage from one ~~classified system county road or~~
 0094 ~~highway classification~~ to another as continuing study indicates
 0095 that such changes are needed by reason of changing traffic needs
 0096 or for other reasons substantiated by engineering analysis.

road or

and highways

(c)

or highway

0097 Sec. 3. K.S.A. 68-516 is hereby amended to read as follows:

0098 68-516. /All the/ highways in county unit road counties shall be
 0099 classified, constructed and maintained according to the follow-
 0100 ing classifications: ~~a classification system adopted by the county~~
 0101 ~~for such purposes.~~

, except that no road or highway mileage may be shifted to or from the secondary road system except as provided in article 17 of chapter 68 of the Kansas Statutes Annotated and amendments thereto

(a)

0102 County primary roads shall be the roads in the county that are
 0103 the main traveled highways and shall connect as nearly as
 0104 possible the cities and principal market centers within each
 0105 county with each other and with the state highways and with
 0106 county roads in adjoining counties.

roads and

the following

:

0107 Secondary road system roads shall be the roads designated in
 0108 each county for inclusion in the secondary road system in ac-
 0109 cordance with the provisions of article 17 of chapter 68 of the
 0110 Kansas Statutes Annotated; and acts amendatory thereof or sup-
 0111 plemental thereto.

(1) "Secondary roads or highways" which shall include all county roads and highways designated for inclusion in the secondary road system in accordance with K.S.A. 68-1701 to 68-1704, and amendments thereto;

(2) "county minor collector roads or highways" which shall include all county roads and highways, not designated for inclusion in the secondary road system, which are main traveled roads utilized and designed primarily for the movement of traffic between different areas of the county; and

0112 Class A roads shall be local service roads and consist of all
 0113 other regularly laid out public roads not designated as county
 0114 primary roads or secondary road system roads. /Such classifica-
 0115 tion shall be made by the board of county commissioners, with
 0116 the approval of the county engineer. ~~Provided, That.~~ The county
 0117 engineer and the board of county commissioners may shift road
 0118 mileage from one road classification to another as continuing

(3) "local service roads" which shall include all public roads not designated for inclusion in the secondary road system and not designated as county minor collector roads or highways.

(b)

or highway

0119 study indicates that such changes are needed by reason of
0120 changing traffic needs or for other reasons substantiated by
0121 engineering analysis, except, that no road/mileage may be
0122 shifted to or from the secondary road system except as provided
0123 in article 17 of chapter 68 of the Kansas Statutes Annotated, and
0124 acts amendatory thereof or supplemental thereto.

0125 Sec. 4. K.S.A. 68-592 is hereby amended to read as follows:
0126 68-592. Notwithstanding the provisions of any other act All the
0127 highways in any county adopting the provisions of this act shall
0128 be classified, constructed and maintained according to the fol-
0129 lowing classifications: ~~a classification system adopted by the~~
0130 ~~county for such purposes.~~

0131 "County primary roads" shall be the roads in the county that
0132 are the main traveled highways and shall connect as nearly as
0133 possible the cities and principal market centers within each
0134 county with each other and with the state highways and with
0135 county roads in adjoining counties.

0136 "Secondary road system roads" shall be the roads designated
0137 in each county for inclusion in the secondary road system in
0138 accordance with the provisions of article 17 of chapter 68 of the
0139 Kansas Statutes Annotated and amendments thereto.

0140 "Local service roads" shall consist of all other regularly laid
0141 out public roads not designated as county primary roads or
0142 secondary road system roads. Such classification shall be made
0143 by the board of county commissioners, with the approval of the
0144 county engineer: ~~Provided, That~~. The county engineer and the
0145 board of county commissioners may shift road/mileage from one
0146 road classification to another as continuing study indicates that
0147 such changes are needed by reason of changing traffic needs or
0148 for other reasons substantiated by engineering analysis, except,
0149 that no road/mileage may be shifted to or from the secondary road
0150 system except as provided in article 17 of chapter 68 of the
0151 Kansas Statutes Annotated and amendments thereto.

0152 Sec. 5. K.S.A. 68-1109 is hereby amended to read as follows:
0153 68-1109. All bridges constructed on county primary roads, other
0154 ~~than class A roads and secondary road system roads~~ shall have a
0155 clear roadway of not less than ~~twenty-four (24)~~ 24 feet. Bridges

or highway

(a)

roads and

the following

:

(1) "Secondary roads or highways" which shall include all county roads and highways designated for inclusion in the secondary road system in accordance with K.S.A. 68-1701 to 68-1704; and amendments thereto;

(2) "county minor collector roads or highways" which shall include all county roads and highways, not designated for inclusion in the secondary road system, which are main traveled roads utilized and designed primarily for the movement of traffic between different areas of the county; and

(3) "local service roads" which shall include all public roads not designated for inclusion in the secondary road system and not designated as minor collector roads or highways.

(b)

or highway

(a) Except as otherwise hereinafter provided,

secondary roads or highways and on county minor collector roads or highways

Except as otherwise hereinafter provided,

0156 constructed on township and ~~class A~~ roads shall have a clear
 0157 roadway of not less than ~~twenty (20)~~ 20 feet. ~~Provided, except~~
 0158 ~~that~~ a bridge over ~~one hundred (100)~~ 100 feet in length con-
 0159 structed on a county ~~primary road other than a class A road or~~
 0160 ~~secondary road system road~~ may have a clear roadway of less
 0161 than ~~twenty-four (24)~~ 24 feet, if approved by the state transpor-
 0162 tation engineer, and a bridge over ~~one hundred (100)~~ 100 feet in
 0163 length constructed on a township or ~~class A~~ road may have a clear
 0164 roadway of less than ~~twenty (20)~~ 20 feet when approved by the
 0165 state transportation engineer.

0166 / All culverts constructed on county ~~primary roads other than~~
 0167 ~~class A roads or secondary road system roads~~ shall have a clear
 0168 roadway of not less than ~~twenty-four (24)~~ 24 feet, and the grade of
 0169 any approach to or over any such culvert shall not exceed ~~five~~
 0170 ~~percent (5%)~~ 5% uniform grade. The roadway of any bridge
 0171 hereafter constructed on any public ~~highway~~ over the tracks of
 0172 any railroad shall not be less than ~~twenty-four (24)~~ 24 feet wide
 0173 for any county ~~primary road other than a class A road or sec-~~
 0174 ~~ondary road system road~~ and not less than ~~twenty (20)~~ 20 feet
 0175 wide for any township or ~~class A~~ road, and the approaches
 0176 thereto shall be at least ~~thirty (30)~~ 30 feet wide, and at least
 0177 ~~twenty-four (24)~~ 24 feet wide, respectively, and the grade of such
 0178 approach shall not exceed ~~five percent (5%)~~ 5% uniform grade.

0179 Sec. 6. K.S.A. 68-506, 68-516, 68-592 and 68-1109 are hereby
 0180 repealed.

0181 Sec. 7. This act shall take effect and be in force from and
 0182 after its publication in the statute book.

local service
 and highways
 .
 secondary road or highway or on a county
 minor collector road or highway
 local service
 or highway
 (b)
 secondary roads or highways or on county minor
 collector roads or highways
 road or
 secondary road or highway or county minor
 collector road or highway
 local service
 or highway

PROPOSED AMENDMENT TO S.B. NO. 520

Sec. . This act shall become inoperative immediately upon the date that the secretary of the United States department of transportation, or the secretary's delegate, determines to rescind the portion of the federal motor vehicle safety standard 208 (49 C.F.R. 571.208) which requires the installation of automatic restraints in new private passenger motor vehicles, except that this act shall not become inoperative if the secretary's decision to rescind standard 208 is not based, in any respect, on the enactment or continued operation of this act.

H. Transp. 3/27/86
Attach. 5

SENATE BILL No. 520

By Committee on Transportation and Utilities

1-30

0021 AN ACT concerning motor vehicles; requirement for use of
0022 safety belts.

0023 *Be it enacted by the Legislature of the State of Kansas:*

0024 Section 1. This act may be cited as the safety belt use act.

0025 Sec. 2. As used in this act, "passenger car" means a motor
0026 vehicle with motive power designed for carrying 10 passengers
0027 or fewer, but does not include a motorcycle, a trailer or a vehicle
0028 ~~constructed either on a truck chassis or~~ with special features for
0029 occasional off-road operation.

0030 Sec. 3. (a) Except as provided in K.S.A. 8-1344 and 8-1345
0031 and amendments thereto and in subsection (b), each front seat
0032 occupant of a passenger car manufactured with safety belts in
0033 compliance with federal motor vehicle safety standard no. 208
0034 shall have a safety belt properly fastened about such person's
0035 body at all times when the vehicle is in motion.

0036 (b) This section does not apply to: (1) an occupant of a
0037 passenger car who possesses a written statement from a licensed
0038 physician that such person is unable for medical reasons to wear
0039 a safety belt system.; (2) ~~taxicabs or limousines trans-~~
0040 ~~porting passengers for hire;~~ (3) carriers of United
0041 States mail while actually engaged in delivery and collection of
0042 mail along their specified route; ~~(4)~~ newspaper delivery persons
0043 while actually engaged in delivery of newspapers along their
0044 specified route.

0045 (c) The secretary of transportation shall initiate an educa-
0046 tional program designed to encourage compliance with the
0047 safety belt usage provisions of this act.

or a truck registered for a gross weight
of 12,000 pounds or less and which is used
for farming, as defined in K.S.A. 17-5903,
and amendments thereto

(3)